THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21087 OF 2005

DATED:27.9.2005

Between:

Shaik Silar Bee and others

…Petitioners

And

The Joint Collector, Kadapa District and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21807 OF 2005

ORDER:

The petitioners, who are thirteen in number, are residents of Reddypalle village, T.Kammapalle Panchayat, Pullampeta Mandal, Kadapa District. They were assigned lands in various survey numbers of the said village in 1984. Second respondent by proceedings dt.25.5.2005 cancelled the D-form pattas on allegation that petitioners failed to bring the land into cultivation that they are not residents of the village and hence they are ineligible, that the

assignments are benami, and that the petitioners, to whom the land in S.Nos.1387, 1388 and 1389 assigned, are not possession of the land. Aggrieved by the same, petitioners preferred revision before the Joint Collector, Kadapa, first respondent herein. First respondent by letter dt.12.9.2005 addressed to second respondent, a copy of which was marked to petitioners' counsel, cancelled for remarks and submission of records. No orders are passed on the application for stay. Alleging that they are still in possession, and apprehending dispossession, present Writ Petition is filed.

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (Assignment).

Whether it is correct or not the petitioners are allegedly in possession of the land since 1984 and cultivating the land. In such a case, especially when the assignments are cancelled after a period of two decades, if appropriate interlocutory orders are not passed by the revisional authority, the revision might itself become useless. Therefore, instead of keeping the matter pending, the Writ Petition is disposed of at the admission stage directing the Joint Collector, Kadapa, to pass orders forthwith on the application filed by the petitioners for stay along with their revision petition filed against proceedings of Revenue Divisional Officer, dt.25.5.2005. Such orders may be passed by 3.10.2005.

The Writ Petition is accordingly disposed of. No costs.

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27.9.2005 (V.V.S.RAO, J)

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Note: 1. Operation portion of the order

may be communicated by WIRE

at party's cost.

2. Depatch copy today.

(B.O)